

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13494 of 2024

ORDER:

Seeking the Court to enlarge the petitioners who are arrayed as accused No.4 in Crime No.764 of 2024 of Borabanda Police Station, Hyderabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 21.09.2024, at 19:00 hours, Sourabh Jain, a 35-year-old businessman and pawnbroker, filed a complaint. He stated that on 19.09.2024, at 09:30 hours, while he was away, three individuals - Upender, Fayum, and Bood from Rahmath Nagar - visited his residence and exchanged two Dubai Dirhams worth Rs.5.4 lakh each, for Rs.5.9 lakh with his father, Pukhraj Jain. Later that day, they returned with 20 more Dirhams and received Rs.91,200/-. Upon returning home, Sourabh discovered the 22 Dirhams were counterfeit. He requests necessary action against the perpetrators for cheating and providing fake currency.

3. Heard Sri Mohd. Ashraf Ali, learned counsel appearing on behalf of the petitioners as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondents.

4. Learned counsel for the petitioner submitted that the allegations leveled against the petitioner are false and baseless, and he was wrongly implicated in the case. The accusations primarily target accused Nos.1 and 2, and the petitioner has no knowledge of the counterfeit currency. As an auto driver and merely a friend of one of the accused, the police falsely involved him. The petitioner, the sole breadwinner of his family, is willing to face trial, is a permanent Hyderabad resident, and ready to furnish sureties. Therefore, he prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the petitioner involved in exchanging fake currency and it is a serious crime and the investigation is still pending. At this stage, granting of bail to the petitioner

does not arise and prayed the Court to dismiss the criminal petition.

6. Upon consideration of the submissions made by both the learned counsel and review of the record, this Court orders the grant of bail to the petitioner, who was arrested for possession and use of counterfeit Dirham currency. The evidence establishes that the petitioner, alongside Accused No.3, exchanged currency at the shop of the complainant, whereas accused Nos.1 and 2 asserted the counterfeit currency's intended use in the film industry. Significantly, the involvement of the petitioner was limited to currency exchange, without any role in printing or preparing the counterfeit notes. Given the substantial progress in investigation, with 11 witnesses examined, and the petitioner's prolonged detention of three months, this Court deems it appropriate to grant bail with the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the learned

III Additional Chief Judicial
Magistrate, Hyderabad.

- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) weeks, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 19.11.2024
SAI

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